

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS**

IN RE: §
CBL & ASSOCIATES §
PROPERTIES, INC. et al., §
§
Debtors §
§
CASE NO. 20 (Chapter 11)

**LIMITED OBJECTION TO PROPOSED AMENDED JOINT CHAPTER 11 PLAN OF
REORGANIZATION AND RESERVATION OF RIGHTS OF JEFFREY LANGFORD
AND RONALD BOATWRIGHT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Jeffrey Langford and Ronald Boatwright (hereinafter collectively referred to as “Litigants”), creditors of the Debtors in the above-referenced bankruptcy proceeding (hereinafter referred to as “Debtors” or “CBL”) and file this their Limited Objection and Reservation of Rights to Proposed Amended Joint Chapter 11 Plan of Reorganization, and would show this Court, the following:

1. The Debtors filed their Amended Joint Chapter 11 Plan of Reorganization on April 15, 2021.

2. Litigants are Plaintiffs in personal injury lawsuits that are pending in Virginia State Court, styled *Langford v. NRV Mall Associates, LLC, et al.*; *Boatwright v. CBL Properties, LLC, et al.*; and *Boatwright v. CBL & Associates Properties, Inc., et al.*, in the Circuit Court for the County of Montgomery, Virginia, to which certain Debtor entities are named as Defendants. Litigants are claiming damages against the Debtors relative to their personal injury claims. Litigants expect that such claims are payable by the Debtors' liability insurance policies.

3. Although the Debtors' Disclosure Statement discusses claims that may be payable by third parties or insurance carriers [Dkt. #1059, Page 68] as it relates to certain Allowed Claims,

the Amended Joint Plan of Reorganization is unclear on how the Litigants' claims will be addressed upon Plan Confirmation. Accordingly, Litigants file this limited objection to the Amended Joint Chapter 11 Plan of Reorganization in order to protect the Litigants':

- Proofs of Claim on file with respect to the above-described claims;
- ability to communicate with Debtors, their counsel, and/or its insurance carriers, post-Confirmation, in order to reach a consensual resolution regarding the Litigants' claims; and
- right to liquidate their pre-petition claims post-Confirmation, in Virginia State Court, in the event a consensual resolution with the Debtors cannot be reached.

WHEREFORE, the Litigants respectfully request that this Court deny Confirmation of the Debtors' Amended Joint Chapter 11 Plan until and unless Debtors and Litigants reach an agreed resolution fully addressing the concerns raised herein.

DATED: May 13, 2021

Respectfully submitted,

HOFFMAN & SAWERIS, P.C.

By: /s/ Alan Brian Saweris

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ATTORNEYS FOR LITIGANTS

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 13th day of May 2021, a true and correct copy of the foregoing pleading was on the parties registered to receive service via ECF/CM in this case.

/s/ Alan Brian Saweris

Alan Brian Saweris